Appln No.: 09/998,733 Docket no. 07083-1-007200

# PETITION UNDER 37 C.F.R. § 1137(b) FOR WITHDRAWAL OF ABANDONMENT FOR UNINTENTIONAL ABANDONMENT OF PATENT APPLICATION AND PAYMENT OF ISSUE FEE

Mail Stop Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### Dear Sir:

This paper is responsive to the Notice of Dismissal of a petition to revive for non-receipt of papers by the Patent and Trademark Office.

Applicants request withdrawal of abandonment on the basis that Applicant did not intend to abandon the application. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

Applicants request that the Notice of Abandonment be withdrawn, that the Issue Fee be accepted and the patent expeditiously issued.

This application was filed after June 8, 1995, and, therefore, it is believe that a terminal

disclaimer is not necessary.

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Appln No.: 09/998,733 Docket no. 07083-1-007200

A check payable to the Commissioner of Patents & Trademarks in the amount of \$3,200.00 is submitted herewith, representing payment of fees in the amount of \$1,500.00 for filing the herein Petition, and payment of the issue fees in the amount of \$1,700.00. The Comissioner is hereby authorized to charge any fees deemed due and credit any overpayments to Deposit account number **502725.** A duplicate copy of this document is enclosed herewith.

Respectfully submitted,

Dated: November 28, 2006

Michael J. Keller Registration No.38,201 mjkeller@lfiplaw.com

LOTT AND FRIEDLAND, PA One East Broward Blvd., Suite 1609 Fort Lauderdale, FL 33301 954-315-5044 (main) 954-315-5045 (fax)

### 37 C.F.R. § 1.10 Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 C.F.R. § 1.10 "Express Mail Post Office to Addressee" service, Express Mail Label No. <u>EV901631816US</u>, on the date indicated below, and is addressed to: Mail Stop LSSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Catherine Metzger

Date: November 28, 2006

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**Auto-Reply Facsimile Transmission** 

TO: Fax Sender at 9545243441

Fax Information

Date Received: 3/1/2005 1:28:27 PM [Eastern Standard Time]

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Lott & Friedland, P.A.

10:	USPTO Commissione	r for Patents	From: Rick Comoglid	, USPTO Reg. No.: 40,963		
Attn:	Mail Stop Am	endment	Pages: 3 (Including Co	over Page)		
l'ax:	703-872-9306		Date: 3/1/2	005		
Re:	Power of Atto	rney and Statement under	37 CFR CC:			
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Mess	ige:					
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Lott	& Friedland	LP.A.				

By: Rick Comoglio

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# Lott & Friedland, P.A.



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То:	USPTO Commissioner for Patents	From:	Rick Comoglio, USPTO Reg. No.: 40,963
Attn:	Mail Stop Amendment	Pages:	3 (Including Cover Page)
Fax:	703-872-9306	Date:	3/1/2005
Re:	Power of Attorney and Statement under 37 CFR	CC:	, ,
	3.73(b) for Patent Application No.: 09/998,733		
☐ Ur	gent	□ Please C	omment
Messa	age:		
	se accept the attached Power of Attorney ication No. 09/998,733.	and State	ement under 37 CFR 3.73(b) for Patent
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Lott	& Friedland, P.A.		

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